

REMARKS

In its Decision on Appeal, after reversing the Examiner, the Board asserted a new ground of rejection of independent claim 10 under 35 U.S.C. 103(a) as being unpatentable over Murata (2001/0051762) ("Murata '762") in view of Hill (U.S. Patent No. 6,929,600) ("Hill '600"), and in further view of Chikama (U.S. Patent No. 5,002,041) ("Chikama '041"). The Board did not review the remaining claims 11-14 and 17-34 pending in the Application.

Having carefully reviewed and considered the Board's determinations and rejection, the Applicants have amended independent claim 10 and respectfully request withdrawal of the rejection and allowance of the pending claims (10-14 and 17-34).

The Board's New Ground of Rejection.

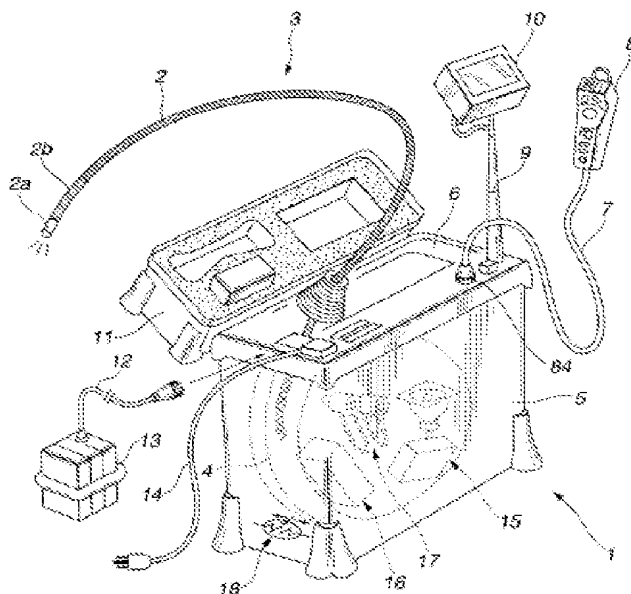
In asserting its rejection, the Board focused on the following elements of claim 10 as appealed: "a unitary control and display handset element comprising a screen element for viewing the interior of the structure and an articulation control element . . . wherein each one of said plurality of insertion elements can be connected to said unitary control and display handset element". (Board Decision at pp. 8-10)

As for the first part – the unitary control and display handset – the Board concluded that, although Murata '762 did not disclose expressly the element, "an ordinary skilled artisan would have readily appreciated incorporating Murata's display device into the remote control, thereby creating a unitary handheld device that includes both a display and a plurality of control switches." Thus, the Board found "that Murata teaches or fairly suggests" that element. (Board Decision at p. 9)

As for the second part – that the plurality of insertion elements can be **connected to** the unitary control and display handset element – the Board asserted that "Murata discloses the endoscope is **indirectly connected to** both the display device and the remote control via the front panel of the box-like main unit." The Board further stated that "we find that an ordinarily skilled artisan would have readily appreciated **indirectly connecting** Murata's endoscope to the remote control/display

configuration.” (Board Decision at pp. 9-10) In other words, the Board concluded that, since the endoscope (or insertion element) (3) of Murata ‘762 was indirectly connected to the potential combination of the remote control (8)/display (10) through the box-like main unit (5), this satisfied the “connection” required by appealed claim 10, “**since independent claim 10 does not preclude an indirect connection.**” (Board Decision at p. 9)

FIG.1



In response to this rejection, the Applicants have amended independent claim 10 to require that the “insertion elements can be **directly connected to** said unitary control and display handset element,” as fully disclosed in the Applicants specification and drawings (see, e.g., Figures 15, 18, and 20) where the insertion tube (560) is connected directly to the unitary control and display handset (550), and not through any base module (570) remote to the handset (550):

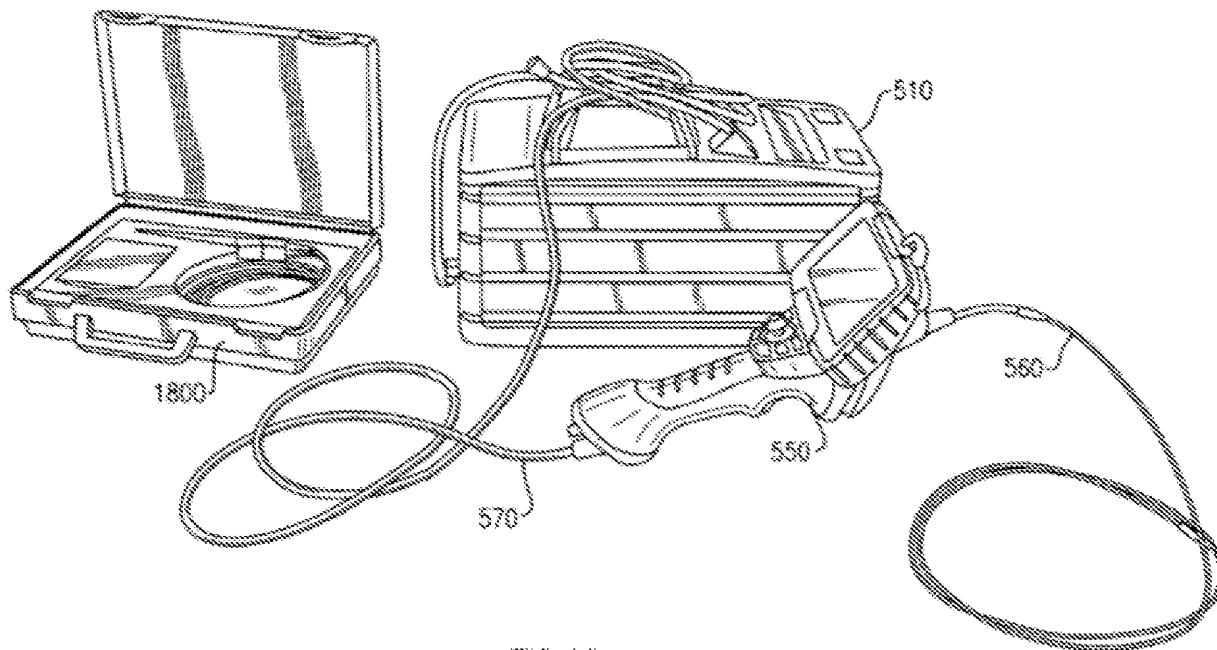


FIG. 18

Unlike the Murata '762 disclosure, which the Board asserts shows an indirect connection of the insertion element (3) to the potential combination of the remote control (8)/display (10) through the box-like main unit (5), Appellants' amended claims are distinguishable in that they are directed to a modular visual inspection system having a plurality of insertion elements **directly** connected to the unitary control and display handset element (and not the box-like main unit), which provides the user with greater flexibility in customizing the system and selecting an appropriate insertion element when conducting an inspection. (e.g., Specification at [0078]). Figures 29 and 30 in the present application demonstrate this novel aspect to the invention and the complexity of combining endoscopic control and display functions in a unitary control and display handset element.

Since independent claim 10 includes at least one element not disclosed or taught by Murata '762, Hill '600, and Chikama '041, the asserted combination of prior art references cannot invalidate claim 10 or any of its dependent claims. Accordingly, the Applicants respectfully request that the rejection of claims 10-14 and 17-34 be withdrawn and the claims allowed.

Conclusion.

In view of the remarks, the Applicants believe that all of the pending claims of the present application to be in condition for allowance and respectfully requests reconsideration and passage to allowance of the application.

If the Examiner believes that contact with the Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call the Applicants' representative at the phone number listed below.

The Applicants believe no fees are due with this response. However, if a fee is due, please charge our Deposit Account No. 50-3010, under order number 3052622 US 01.

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Respectfully submitted,

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